

Serial No. 08/787,651

Remarks

Claims 1-36 are pending in the application.

Claims 1-33 stand allowed

Claims 34 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 6,638,784 issued to Bartlett et al. on October 28, 2003.

Claim 35 was indicated to contain allowable subject matter, but was objected to as being dependent upon a rejected base claim.

Entry of this Amendment is proper under 37 CFR § 1.116 since the amendment:

(a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) satisfies a requirement of form asserted in the previous Office Action; (d) does not present any additional claims without canceling a corresponding number of finally rejected claims; or (e) places the application in better form for appeal, should an appeal be necessary. The amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. Entry of the amendment is thus respectfully requested.

Any amendments to any claim expressly made in order to distinguish such claim from known prior art are being made only with an intent to change the literal scope of such claim in the most minimal way, i.e., to just avoid the prior art in a way that leaves the claim novel and not obvious in view of the cited prior art, and no equivalent of any subject matter remaining in the claim is intended to be surrendered.

Also, since a dependent claim inherently includes the recitations of the claim or chain of claims from which it depends, it is submitted that the scope and content of any dependent claims that have been herein rewritten in independent form is exactly the same as the scope and content of those claims prior to having been rewritten in independent form. That is, although by convention such rewritten claims are labeled herein as having been "amended," it is submitted that only the format, and not the content, of these claims has been changed. This is true whether a dependent claim has been rewritten to expressly include the limitations of those claims on which it formerly depended or whether an

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independent claim has been rewriting to include the limitations of claims that previously depended from it. Thus, by such rewriting no equivalent of any subject matter of the original dependent claim is intended to be surrendered. If the Examiner is of a different view, he is respectfully requested to so indicate.

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Interview Summary

A telephone interview between applicants' undersigned representative and Examiner Lee took place on January 25, 2005 with follow-up discussions on the first and second of February 2005. During the course of the interview it was agreed that claim 36 contained allowable subject matter but was still objected to as being dependent upon a rejected base claim. The Examiner also clarified that he considered the piezoelectric device of Bartlett et al. to correspond to the integrated circuit chip of applicants' claim 34.

In response, applicants have rewritten claims 35 and 36 in independent form, by including within each all of the limitations of their base claim 34 as previously presented.

Additionally, claim 34 has been amended to better define the integrated circuit as being made up of a substrate distinct from the packaging and including at least two electrical circuit devices, thereby clearly differentiating the integrated circuit from the piezoelectric devices of Bartlett et al., which are each single devices each mounted directly on the packaging. Claim 34 was further amended to recite that the housing includes the integrated circuit mounted thereon, rather merely being adapted to have the integrated circuit mounted thereon.

As a result, the Examiner agreed that claim 34, as now presented, is also allowable over Bartlett et al.

Applicants would like to thank the Examiner for the courtesy extended to their representative.

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Conclusion

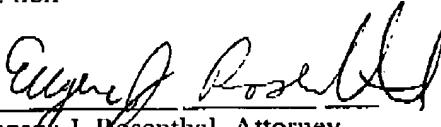
It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, he is invited to call applicant's attorney so that arrangements may be made to discuss and resolve any such issues.

In the event that an extension of time is required for this amendment to be considered timely, and a petition therefor does not otherwise accompany this amendment, any necessary extension of time is hereby petitioned for, and the Commissioner is authorized to charge the appropriate cost of such petition to the **Lucent Technologies Deposit Account No. 12-2325.**

Respectfully,

R. A. Boie
J. Kim
H. Soh

By 
Eugene J. Rosenthal, Attorney
Reg. No. 36,658
732-949-1857

Lucent Technologies Inc.

Date: _____